

## **REMARKS/ARGUMENTS**

Claims 9-13, 15-21, 23-29, and 31-32 remain this application. Claims 17 and 25 have been amended, and Claims 14, 22, and 30 have been canceled. Applicants believe that the present application is in condition for allowance, for which prompt and favorable action is respectfully requested.

### ***Double Patenting***

Claims 14, 22, and 30 were objected to under 37 CFR 1.75 as being substantial duplicates of Claims 13, 21, and 29, respectively. Applicants have canceled Claims 14, 22, and 30 to overcome this objection.

### ***Claim Rejections – 35 USC § 102***

Claims 9, 15-17, 23-25, and 31-32 were rejected under 35 USC § 102(e), as being anticipated by U.S. Patent No. 6,961,388 (“Ling”). Reconsideration and withdrawal of this rejection is respectfully requested.

Independent Claim 9 and amended independent Claims 17 and 25 generally concern communications systems, including receiving at least one signal via different spatial channels, providing estimates of at least some symbols in the at least one signal, estimating characteristics of a plurality of transmission channels used for data transmission, providing signal-to-noise and interference (SNR) information for one or more of the different spatial channels, and receiving and processing the SNR information for transmission.

Ling is not seen to teach or suggest at least the feature of estimating characteristics of a plurality of transmission channels used for data transmission as recited by Applicant. For example, Applicants’ independent Claim 9 recites a channel quality estimator coupled to a MIMO processor that is configured to estimate characteristics of a plurality of transmission channels used for data transmission. The Office Action contends that Ling allegedly “inherently include[s]” a channel quality estimator “coupled to [a] MIMO processor and configured to estimate channel indication ‘Hermitian matrix,’” at col.7 ll.10-17 and further that “the channel indication [is] considered . . . equivalent with the limitation ‘characteristics of a plurality of transmission channels used for data transmission.’” Office Action, page 3. Applicants respectfully disagree with this contention.

Applicants can neither locate “a channel quality estimator coupled to [a] MIMO processor and configured to estimate characteristics of a plurality of transmission channels used for data transmission,” or any estimation of the characteristics of any transmission channel used for data transmission, at col.7 ll.10-17 in Ling.

Accordingly, Ling is not seen to teach or suggest the features of Claims 9, 17, and 25. Claims 15-16, 23-24, and 31-32 are dependent from the independent claims discussed above and therefore are believed to be allowable over the applied references for at least the same reasons.

Withdrawal of the § 102(e) rejection of Claims 9, 15-17, 23-25, and 31-32 is respectfully requested.

#### ***Claim Rejections – 35 USC § 103***

Claims 11-14, 19-22, and 27-30 were rejected under 35 USC § 103(a), as being unpatentable over Ling. Reconsideration and withdrawal of this rejection is respectfully requested.

As discussed above, Ling is not seen to teach or suggest at least the feature of estimating characteristics of a plurality of transmission channels used for data transmission, as recited in independent Claim 9 and amended independent Claims 17 and 25.

Claims 11-13, 19-21, and 27-29 are dependent from the independent claims discussed above and therefore are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, the individual consideration of each on its own merits is respectfully requested.

Withdrawal of the § 103(a) rejection of Claims 11-13, 19-21, and 27-29 is respectfully requested.

#### ***Allowable Subject Matter***

Applicants thank the Examiner for the indication that Claims 10, 18, and 26 would be allowable if rewritten in independent form including all of the limitations of their respective base claims and any intervening claims. Applicants have not rewritten these claims in independent form at this time since their respective base claims are believed to be allowable in their current form, as discussed above.

#### **CONCLUSION**

Application No. 10/786,856  
Amendment dated January 7, 2007  
Reply to Office Action of September 7, 2007 and filed together with a Request for Continued Examination (RCE)

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,  
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